

# **Exhibit F**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA E. VARNER,  
Plaintiff,

vs.

COMMONWEALTH OF PENNSYLVANIA,  
NINTH JUDICIAL DISTRICT,  
CUMBERLAND COUNTY; CUMBERLAND  
COUNTY; S. GARETH GRAHAM,  
Individually, and JOSEPH  
OSENKARSKI, individually,  
Defendants.

CIVIL ACTION  
NO. 1:CV 01-0725

(JUDGE YVETTE KANE)

Deposition of: RONNA BOYLES

Taken by : Defendants

Date : March 3, 2003, 12:22 p.m.

Before : Emily Clark, RMR, Reporter-Notary

Place : 12 West High Street  
Carlisle, Pennsylvania

APPEARANCES:

DEBRA K. WALLET, ESQUIRE  
For - Plaintiff

ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS  
BY: A. TAYLOR WILLIAMS, ESQUIRE  
For - Defendant Commonwealth of Pennsylvania  
Ninth Judicial District, Cumberland County

THOMAS, THOMAS & HAER  
BY: PAUL J. DELLASEGA, ESQUIRE  
For - Defendant Cumberland County

I N D E X

Page 3

WITNESS

3	Ronna Boyles	Examination
4	By Mr. Dellasega	4, 47, 49, 51
5	By Ms. Wallet	26, 49, 50, 51
6	By Ms. Williams	41, 50
7	By Mr. Adams	43

EXHIBITS

(None marked)

\* \* \* \* \*

Page 2

Page 4

1 APPEARANCES (continued):

2 MONTGOMERY, McCRACKEN, WALKER & RHOADS, LLP  
3 BY: L. KRISTEN BLANCHARD, ESQUIRE  
For - Defendant S. Gareth Graham

4 SWEENEY & SHEEHAN, P.C.  
5 BY: PAUL LANCASTER ADAMS, ESQUIRE  
For - Defendant Joseph L. Osenkowski

6 ALSO PRESENT:

7 MS. BARBARA E. VARNER

8 MR. S. GARETH GRAHAM

9 MR. JOSEPH L. OSENKARSKI

1 STIPULATION

2 It is hereby stipulated by and between the  
3 respective parties that signing, sealing, certification  
4 and filing are waived; and that all objections except  
5 as to the form of the question are reserved until the  
6 time of trial.

7  
8 RONNA BOYLES, called as a witness, being duly  
9 sworn, was examined and testified, as follows:

10 BY MR. DELLASEGA:

11 Q. Mrs. Boyles, we talked over the phone last week. I'm  
12 Paul Dellasega. I represent the county. We're taking  
13 your deposition today as part of a lawsuit brought by  
14 Barbara Varner against the county, the court, and  
15 Osenkowski and Gram in the nature of a sexual  
16 harassment suit.

17 Have you ever been deposed before?

18 A. No.

19 Q. Okay. You have to answer questions under oath, and  
20 it's important to us that you understand the question  
21 before you answer it. So that if you don't understand  
22 a question, ask me to rephrase it, and I'll do so as  
23 many times as need be until you understand it.

24 A. Okay.

25 Q. If you don't know the answer, it's satisfactory to tell

Page 5

1 us you don't know the answer. If you need to stop and  
2 think about it for a few minutes, we've got plenty of  
3 time.  
4 A. **Okay.**  
5 Q. Okay? When were you employed by the county or the  
6 court?  
7 A. **I was a part-time at the law library, and then I forget**  
8 **what year I went over to Probation, but I worked**  
9 **Juvenile Prosecution and Adult Probation. And then**  
10 **when they split I went over to the Adult.**  
11 Q. Would you be able to tell us what year you went to  
12 Juvenile or the precursor to Juvenile, the unified  
13 department?  
14 A. **No, I can't remember.**  
15 Q. Okay. How many years in total were you a Probation  
16 secretary?  
17 A. **Nine.**  
18 Q. **Nine.**  
19 A. **I was fired.**  
20 Q. What was the last year?  
21 A. **'97. '99. '97 or '99. I was fired.**  
22 Q. Prior to the split did you work for one person in  
23 particular?  
24 A. **No. I worked for several probation officers.**  
25 Q. Who did you work with?

Page 6

1 A. **Gary, Joe, Barb, Debra, Nick, Denny, Sam.**  
2 Q. How many secretaries were in Probation?  
3 A. **There were two.**  
4 Q. And how many probation officers, roughly?  
5 A. **10.**  
6 Q. And the two of you divided all the probation officers?  
7 A. **Right. Well, whoever brought the typing to us, we did.**  
8 Q. Was it the case you could do typing for any probation  
9 officer?  
10 A. **Yes.**  
11 Q. And your other secretary could do typing for any  
12 probation officer?  
13 A. **Yes, um-hum.**  
14 Q. I've heard you referred to at various points as Gary's  
15 secretary. Would that be an accurate description?  
16 A. **Um-hum.**  
17 Q. Did you consider yourself Gary's secretary?  
18 A. **Um-hum. Yes.**  
19 Q. Did Gary provide to you the bulk of your work?  
20 A. **Yes.**  
21 Q. And did that last until --  
22 A. **Till the split.**  
23 Q. Till the split?  
24 A. **And then later on he became the institutional officer**  
25 **and I started doing typing for him again.**

Page 7

1 Q. Okay. So you would have been his secretary for a  
2 period of several years?  
3 A. **True.**  
4 Q. Okay. And you were his secretary the entire time after  
5 Mrs. Varner came until the split; is that correct?  
6 A. **Correct.**  
7 Q. And did you do the bulk of Mrs. Varner's work?  
8 A. **Yes.**  
9 Q. Did you know Mrs. Varner before she came into  
10 Probation?  
11 A. **Only to say hello. I only recognized her as a face.**  
12 Q. And how did it come about that you recognized her as a  
13 face?  
14 A. **I think some friends, some other people that worked --**  
15 **Sherry McGinty I think introduced me to her and, you**  
16 **know, so I knew who she was. She said, you know, she's**  
17 **with Children and Youth.**  
18 **And then right before she was hired on, during the**  
19 **hiring process, I had talked with her with Gary in the**  
20 **lunch room, just to say hello.**  
21 Q. Prior to her coming on board she had been over in your  
22 offices; is that what you're telling me?  
23 A. **Occasionally.**  
24 Q. And on those occasions when she was over in your  
25 offers, it's your recollection was the purpose to see

Page 8

1 Mr. Graham for some business reason?  
2 A. **I think it was for Gary and Joe that she talked,**  
3 **because it was right before she was being hired.**  
4 Q. And I think you said you had lunch with them, or saw  
5 them in the lunch room?  
6 A. **Um-hum.**  
7 Q. Which one was it? You saw them or had lunch with them?  
8 A. **No, no. Just in the lunch room, getting a soda or**  
9 **something.**  
10 Q. Did you see them together in the lunch room more than  
11 once?  
12 A. **Yeah.**  
13 Q. Frequently?  
14 A. **No, not frequently. I'd say two, three times.**  
15 Q. Two or three times ever, or two or three times a month?  
16 A. **Two, three times ever.**  
17 Q. When a phone call came for Mr. Graham, what was the  
18 protocol? Did he answer his phone himself or did you  
19 answer it?  
20 A. **It depended. Sometimes it went right to his phone, and**  
21 **sometimes the calls came to me and then I would**  
22 **transfer them to him.**  
23 Q. Did he get frequent phone calls?  
24 A. **Yes.**  
25 Q. Before Mrs. Varner came on board in Probation do you

Page 9

1 recall him getting phone calls from Mrs. Varner?  
 2 A. **No.**  
 3 Q. After she came on board, do you recall him getting  
 4 phone calls from Mrs. Varner?  
 5 A. **If she was out in the field, yes.**  
 6 Q. Do you recall the phraseology Barb 1 and Barb 2 ever  
 7 being used?  
 8 A. **Yes.**  
 9 Q. Did you ever use it yourself?  
 10 A. **Yes.**  
 11 Q. Why did you use that term of art?  
 12 A. **Barb 1 is his wife and Barb 2 was the co-worker, so I**  
 13 **could distinguish between the two for him.**  
 14 Q. Was it your idea to coin that phrase, or did someone  
 15 else?  
 16 A. **I'm not sure. I just know we set it as Barb 1 and**  
 17 **Barb 2.**  
 18 Q. Did the other secretary also use the phrase Barb 1 and  
 19 Barb 2?  
 20 A. **I think so.**  
 21 Q. And who was the other secretary?  
 22 A. **Jenny was it for a while.**  
 23 Q. Jenny, and the last name?  
 24 A. **Crum.**  
 25 Q. And was there another secretary besides her?

Page 10

1 A. **Fran was there, Fran Rose. And Kathy Zeigler.**  
 2 Q. Did you hear all those women use the phraseology Barb 1  
 3 and Barb 2?  
 4 A. **I think so.**  
 5 Q. Other than the secretaries, did you ever hear of  
 6 probation officers use the phrase 1 Barb 1 and Barb 2?  
 7 A. **I believe so.**  
 8 Q. Did you ever hear Gary being teased about Barb 1 or  
 9 Barb 2?  
 10 A. **Yes.**  
 11 Q. Can you give me an example of somebody teasing him?  
 12 A. **Just that they would say, you know, you've got a phone**  
 13 **call, you know, is it Barb 1 or is it Barb 2. I never**  
 14 **heard anything other than that.**  
 15 Q. Was there in your estimation any sexual undertones to  
 16 saying it's your first Barb or your second Barb?  
 17 A. **No.**  
 18 Q. Did you understand -- from your observations of Barbara  
 19 Varner and Gary Graham together before the split, how  
 20 would you describe their working relationship?  
 21 A. **Very good.**  
 22 Q. Better than average?  
 23 A. **Yes, I think so.**  
 24 Q. Were there people with whom Mr. Graham did not have a  
 25 working relationship, that you observed?

Page 11

1 A. **Not -- I mean, he would get frustrated now and then,**  
 2 **but no.**  
 3 Q. Did you observe him treat Mrs. Varner in any different  
 4 manner than he treated other employees?  
 5 A. **When she first came on, Mr. Graham and Mr. Osenkarski**  
 6 **would take her on all the -- when they go to visit**  
 7 **clients or go to different seminars and stuff like,**  
 8 **that they would -- she would go along. That seemed to**  
 9 **be, I thought they were showing her the ropes, you**  
 10 **know, how things were handled.**  
 11 Q. Are you referring to routine training, or some type of  
 12 preferential treatment?  
 13 A. **Routine training. And then also, like, when they would**  
 14 **have to go to visit different facilities where they**  
 15 **might have had people placed.**  
 16 Q. Do you ever recall her being asked to go on some trip  
 17 that normally a new probation officer would not be  
 18 asked to go on?  
 19 A. **No.**  
 20 Q. Any conference that normally a new probation officer  
 21 would not be asked to go on?  
 22 A. **No. The only thing I thought was different, I think,**  
 23 **Gary also did DUI training, and I think Barb was asked**  
 24 **to do that, and I was surprised about that.**  
 25 Q. Why were you surprised about that?

Page 12

1 A. **Because I thought that there was a set number of people**  
 2 **who did it and that was the way it was.**  
 3 Q. And the set number of people was old timers in the  
 4 Probation Department?  
 5 A. **Yes. Yes.**  
 6 Q. And it was unusual for a brand new probation officer to  
 7 be part of the DUI training?  
 8 A. **Right. Right.**  
 9 Q. Was that because there was some financial reward for  
 10 being a DUI instructor?  
 11 A. **I have no idea.**  
 12 Q. Before Mrs. Varner was hired did you ever hear a  
 13 discussion about whether she would be considered as a  
 14 candidate for employment?  
 15 A. **I just heard them say she would be a really good person**  
 16 **to have on board, that she was a good worker.**  
 17 Q. And you heard them say it. Who was them?  
 18 A. **Gary and Joe.**  
 19 Q. Can you recall in particular what Mr. Graham would have  
 20 said?  
 21 A. **Just that she was really conscientious, a good worker**  
 22 **and it would be good having her on the staff.**  
 23 Q. Would you characterize it as he glowed about her  
 24 abilities?  
 25 A. **Yes.**

<p style="text-align: right;">Page 13</p> <p>1 Q. And with Mr. Osenkarski, what would he say?</p> <p>2 A. <b>About the same thing.</b></p> <p>3 Q. Would you characterize Osenkarski also glowing about her</p> <p>4 abilities?</p> <p>5 A. <b>Yes, like she would be an asset to us.</b></p> <p>6 Q. And when you say they glowing about her abilities, were</p> <p>7 they more complimentary about her abilities coming in</p> <p>8 than was typical?</p> <p>9 MS. WALLET: I'm just going to object to the form</p> <p>10 of the question. You were the one that used the word</p> <p>11 glowing. She didn't say glowing, she agreed with that,</p> <p>12 however.</p> <p>13 But you may answer the question.</p> <p>14 THE WITNESS: No. If there were other ones that</p> <p>15 they felt would be a great asset, the same thing.</p> <p>16 BY MR. DELLASEGA:</p> <p>17 Q. Did Mrs. Varner seem to be the recipient of any</p> <p>18 special treatment when she came in?</p> <p>19 A. <b>No.</b></p> <p>20 Q. Now, where did you sit in relationship to Graham's</p> <p>21 office?</p> <p>22 A. <b>He was down the hall and to the right.</b></p> <p>23 Q. You could not see him from your desk?</p> <p>24 A. <b>No.</b></p> <p>25 Q. How about Mrs. Varner's office?</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. So it was a frequent occurrence for him to raise his</p> <p>2 voice; is that correct?</p> <p>3 A. <b>Pretty much, yes.</b></p> <p>4 Q. Now, you only recall the one instance with Mrs. Varner;</p> <p>5 is that right?</p> <p>6 A. <b>Right.</b></p> <p>7 Q. With other male probation officers, was it unusual for</p> <p>8 Mr. Graham to raise his voice?</p> <p>9 A. <b>No.</b></p> <p>10 Q. Would you characterize this as occurring on a frequent</p> <p>11 basis?</p> <p>12 A. <b>Um-hum. Not as frequent as with some of the female,</b></p> <p>13 <b>but yeah.</b></p> <p>14 Q. In terms of his getting excitable and raising his voice</p> <p>15 at somebody, did he appear to do so indiscriminately</p> <p>16 between men and women? Or did he single out one sex</p> <p>17 more than the other?</p> <p>18 A. <b>No. I think it was pretty even.</b></p> <p>19 Q. Did you observe Mr. Graham to have favorites within the</p> <p>20 office?</p> <p>21 A. <b>Um-hum.</b></p> <p>22 Q. Was Ms. Varner a favorite?</p> <p>23 A. <b>In the beginning, yes.</b></p> <p>24 Q. Did that change at some point, from your personal</p> <p>25 observation?</p>
<p style="text-align: right;">Page 14</p> <p>1 A. <b>She was behind me.</b></p> <p>2 Q. Can you see her from your desk?</p> <p>3 A. <b>If I turned around.</b></p> <p>4 Q. Did you have occasion to see the two interact on a</p> <p>5 daily basis?</p> <p>6 A. <b>On some things, yes.</b></p> <p>7 Q. Would you ever see Mr. Graham treat her, Mrs. Varner,</p> <p>8 rudely?</p> <p>9 A. <b>Once.</b></p> <p>10 Q. What do you recall seeing?</p> <p>11 A. <b>I recall him yelling at her about some case that she</b></p> <p>12 <b>was working on, or some papers that she did. I don't</b></p> <p>13 <b>remember.</b></p> <p>14 <b>I also remember him saying at the time that a</b></p> <p>15 <b>reference to hiring middle-aged people or something</b></p> <p>16 <b>like that.</b></p> <p>17 Q. When you say he yelled at her, did he raise his voice?</p> <p>18 A. <b>Yes.</b></p> <p>19 Q. Was it unusual for Mr. Graham to raise his voice within</p> <p>20 the office?</p> <p>21 A. <b>Not if he was excited.</b></p> <p>22 Q. Did he have a loud voice when he got excited?</p> <p>23 A. <b>Yes.</b></p> <p>24 Q. Is he an excitable man?</p> <p>25 A. <b>Yes.</b></p>	<p style="text-align: right;">Page 16</p> <p>1 A. <b>Yes.</b></p> <p>2 Q. When did it change?</p> <p>3 A. <b>Possibly about the time when we made the switch from</b></p> <p>4 <b>Juvenile, you know, Juvenile and Adult.</b></p> <p>5 Q. Okay. What did you observe?</p> <p>6 A. <b>He was, like, insistent and he became more demanding of</b></p> <p>7 <b>people, and more critical. And I can remember one time</b></p> <p>8 <b>saying to him, you know, if you would ask people</b></p> <p>9 <b>instead of demanding you might get better results.</b></p> <p>10 Q. Are you speaking of he became more critical of all his</p> <p>11 co-employees?</p> <p>12 A. <b>Right.</b></p> <p>13 Q. In general or --</p> <p>14 A. <b>But more about Mrs. Varner.</b></p> <p>15 Q. It was enough so that you noticed all of a sudden he</p> <p>16 was picking on Mrs. Varner?</p> <p>17 A. <b>Right.</b></p> <p>18 Q. Did you have any understanding as to why all of a</p> <p>19 sudden he was picking on Mrs. Varner --</p> <p>20 A. <b>No.</b></p> <p>21 Q. -- when she had been a favorite person before?</p> <p>22 A. <b>No, I had no idea.</b></p> <p>23 Q. But was that how you perceived it, she had been a</p> <p>24 favorite person?</p> <p>25 A. <b>Oh, yes.</b></p>

Page 17

1 Q. And now was being picked on?  
 2 A. **Yes.**  
 3 Q. And that the change was sudden?  
 4 A. **Yes.**  
 5 Q. All right. And did you ever ask Mr. Graham about that?  
 6 A. **No.**  
 7 Q. From what you observed before that sudden change, would  
 8 you describe the two of them as being friendly?  
 9 A. **Yes.**  
 10 Q. Would you describe the friendship as disproportionate,  
 11 Mr. Graham more interested in Varner or more friendly  
 12 to Varner, or both equally friendly to each other?  
 13 A. **I just perceived them as friendly co-workers, friendly**  
 14 **co-workers.**  
 15 Q. Within the office did they appear to be close friends?  
 16 A. **No. Just friends.**  
 17 Q. The answer is no?  
 18 A. **No.**  
 19 Q. Now, the phrase Barb 1 and Barb 2 I think you told me  
 20 was because of the frequency of calls you got from each  
 21 Barb; is that right?  
 22 A. **Well, just because when the phone call would come in**  
 23 **that's how we would say just which one was which.**  
 24 Q. Did the number of phone calls from Barb 2 decline after  
 25 their relationship deteriorated?

Page 18

1 A. **I don't know because by then I was gone. I was over.**  
 2 Q. I'm a little unclear as to how you observed their  
 3 relationship worsen, when you say it worsened after the  
 4 split and you were gone then.  
 5 A. **I would say it probably declined then, because she**  
 6 **was -- she wasn't out of the office as much and she**  
 7 **wasn't calling in.**  
 8 Q. Why does this mean the relationship declined?  
 9 A. **I don't know.**  
 10 Q. You took it to mean the relationship declined?  
 11 A. **No. They -- he stopped inviting her to go to the**  
 12 **different places. He started yelling at her. He**  
 13 **didn't visit in her office. So that's where I took it**  
 14 **as the decline.**  
 15 Q. Did you ever hear Mr. Graham curse in the office?  
 16 A. **He may have, but he wasn't the only one.**  
 17 Q. It was, in fact, the use of curse words a common  
 18 feature in the office?  
 19 A. **Yes. It didn't necessarily, it wasn't necessarily said**  
 20 **in anger, just, you know, it was said.**  
 21 Q. When you heard Mr. Graham use curse words, would they  
 22 be just in general conversation, or directed to  
 23 anybody?  
 24 A. **Just in general.**  
 25 Q. Did you observe him use curse words more around women

Page 19

1 than around men?  
 2 A. **No.**  
 3 Q. **Less?**  
 4 A. **It didn't -- I don't see any difference between.**  
 5 Q. Would you characterize Mr. Graham as treating men and  
 6 women equally, whether he was really good if he liked  
 7 them or he was really bad if he did not like them?  
 8 A. **I think he treated the men better.**  
 9 Q. Did you ever hear within the office the discussion of  
 10 whether any employees within the office were having  
 11 affairs?  
 12 A. **No.**  
 13 Q. Not once?  
 14 A. **No.**  
 15 Q. Okay. With regard to anybody, not just Graham and  
 16 Varner.  
 17 A. **No. No.**  
 18 Q. Are you aware that one of the allegations in this case  
 19 is whether or not Mr. Graham and Mrs. Varner had an  
 20 affair?  
 21 A. **I wasn't until later, but yes.**  
 22 Q. Did the thought ever cross your mind when you were his  
 23 secretary and observed them on a daily basis that they  
 24 were having an affair?  
 25 A. **Never.**

Page 20

1 Q. You said Mr. Osenkowski looked favorably upon  
 2 Mrs. Varner's arrival in the office?  
 3 A. **Yes.**  
 4 Q. Did his attitude remain favorable throughout your time  
 5 in the office, or did it change as Graham's attitude  
 6 changed?  
 7 A. **I think it changed when Graham's attitude changed.**  
 8 Q. What did you observe Mr. Osenkowski do?  
 9 A. **He just again didn't talk to her like he used to.**  
 10 **That's the only thing I could see.**  
 11 Q. Have you had sexual harassment training while employed  
 12 by the court?  
 13 A. **Yes.**  
 14 Q. Okay. And do you recall how many training sessions you  
 15 went to?  
 16 A. **I think I had two.**  
 17 Q. And from those sessions, did you acquire an  
 18 understanding of what sexual harassment is?  
 19 A. **Yes. And we've been doing it all along for years.**  
 20 MS. WALLET: How do you mean that? You've been  
 21 harassing all along?  
 22 THE WITNESS: Yeah, we were. I mean, you know,  
 23 things that we would say in the office, like, oh, you  
 24 look really nice today or, you know, it could all be  
 25 taken as sexual harassment.



Page 25

Page 27

1 Q. Were you ever offended by any sexual harassment banter  
2 you heard in the office?  
3 A. **No.**  
4 Q. Did any women in the office ever tell you they were  
5 offended by sexual banter?  
6 A. **Yes.**  
7 Q. Who is that?  
8 A. **Kerry, Julie Staver, and Deb Anderson.**  
9 Q. And they were all secretaries?  
10 A. **Julie was a probation officer, Kerry was a probation**  
11 **officer, and Deb had been a secretary.**  
12 Q. Are we talking about Kerry Houser?  
13 A. **Yes.**  
14 Q. And what were they talking about?  
15 A. **That was about the harassment suit, Kerry.**  
16 Q. That was about the '93 harassment?  
17 A. **(Witness nodded head affirmatively.)**  
18 Q. After that?  
19 A. **No.**  
20 Q. After the '93 harassment suit do you recall the level  
21 of sexual banter dropping?  
22 A. **Absolutely.**  
23 Q. Some remedial action had apparently been taken?  
24 A. **Yes.**  
25 Q. At any time did you ever hear Mrs. Varner complain to

Page 26

1 you or to others about Graham?  
2 A. **I think just in when he first started nit-picking at**  
3 **her reports and stuff like that. She wasn't sure what**  
4 **he wanted.**  
5 Q. Was not happy about the nit-picking?  
6 A. **Right.**  
7 Q. But do I understand correctly that Gary could be a  
8 nit-picker, nit-pick with other people as well?  
9 A. **Yes.**  
10 Q. That was his style?  
11 A. **(Witness nodded head affirmatively.)**  
12 Q. And again --  
13 A. **Yes.**  
14 Q. -- and he didn't discriminate between men and women?  
15 A. **Yes.**  
16 MR. DELASEGA: That's all.  
17 MR. ADAMS: I don't have any questions.  
18 MS. WILLIAMS: I have no questions for you,  
19 Mrs. Boyles.  
20 MS. BLANCHARD: I have nothing.  
21 BY MS. WALLET:  
22 Q. Mrs. Boyles, tell me what you remember about the Kerry  
23 Houser's complaint.  
24 A. **Reference was made to a cunt club.**  
25 Q. Did you hear that?

1 A. **Yes, I did.**  
2 Q. And who said that?  
3 A. **Joe.**  
4 Q. And can you tell me what you remember about the context  
5 of this?  
6 A. **There were, like, three or four probation officers in**  
7 **Tom Boyer's office at the time, and they were referring**  
8 **to Deb Anderson, Julie Staver, Kerry, and I don't**  
9 **remember if there was another person or not, but that's**  
10 **what I took it as, and it was just a remark about the**  
11 **cunt club.**  
12 Q. Were you offended by that reference?  
13 A. **I was a little surprised, but I wasn't offended.**  
14 Q. Why were you surprised?  
15 A. **I didn't expect to hear something like that.**  
16 Q. Did you think it was appropriate workplace language?  
17 A. **No.**  
18 Q. After you heard that, what did you do?  
19 A. **Continued typing.**  
20 Q. Okay. Did you tell somebody else?  
21 A. **No.**  
22 Q. Did you tell anybody that you had heard it?  
23 A. **I was -- I finally said, yes, I had heard it, when I**  
24 **was questioned about it.**  
25 Q. Did you ever go to Mr. Osenkowski and tell him that you

Page 28

1 were offended by that?  
2 A. **No.**  
3 Q. Why not?  
4 A. **Just thought I'd let it go, because I didn't think it**  
5 **was to my -- it wasn't directed to me.**  
6 Q. Is there any doubt in your mind that it was directed to  
7 the female probation officers?  
8 A. **No.**  
9 MR. ADAMS: Directed to or about? I'm a little  
10 confused. She said it wasn't directed to anyone.  
11 THE WITNESS: Not to any one person, but it was  
12 directed to the two probation officers and the  
13 secretary, one secretary.  
14 MR. ADAMS: You mean as about those persons?  
15 THE WITNESS: Right.  
16 MR. ADAMS: Okay.  
17 BY MS. WALLET:  
18 Q. So the cunt club consist consisted of the two  
19 probation officers and the other secretary?  
20 A. **I believe so, yes.**  
21 Q. Now, who came to you to ask you whether you had heard  
22 about this?  
23 A. **I think the chief did, Ken Bolze.**  
24 Q. And what do you remember him asking you about?  
25 A. **He asked if I had heard reference, the reference that**

Page 41

Page 43

1 A. **Yes.**  
 2 Q. What did she tell you?  
 3 A. **That I've even -- I even was there. They're very**  
 4 **happy.**  
 5 Q. I'm sorry, you were?  
 6 A. **They're very happy together. I was even at her place a**  
 7 **few times.**  
 8 Q. Did she ever complain to you about her husband or her  
 9 relationship with her husband?  
 10 A. **No.**  
 11 Q. Did her husband call her at work?  
 12 A. **Yes.**  
 13 Q. Frequently?  
 14 A. **Yes.**  
 15 MS. WALLET: Thank you very much, Mrs. Boyles.  
 16 THE COURT: Is that all?  
 17 MR. DELASEGA: No.  
 18 BY MS. WILLIAMS:  
 19 Q. Ms. Boyles, my name is Taylor Williams. I represent  
 20 the Ninth Judicial District of Pennsylvania, Court of  
 21 Common Pleas of Cumberland County.  
 22 Do you recall, since in your position with the  
 23 court you answered the telephone, do you recall any  
 24 time when there were a lot of hang-up calls?  
 25 A. **I had talked to him about that. I can't remember. It**

Page 42

1 **may have happened but I can't remember.**  
 2 Q. You don't remember at all?  
 3 A. **No.**  
 4 Q. And you can't pinpoint any time frame when that would  
 5 have happened?  
 6 A. **No.**  
 7 Q. You indicated that you were fired from your position.  
 8 A. **Yes.**  
 9 Q. Can you give me the details of why you were fired?  
 10 A. **Yes. I became chronically ill. I couldn't walk, I**  
 11 **couldn't sit. I was missing work. And they said that**  
 12 **because I couldn't be there, I was fired.**  
 13 Q. So you were fired for absenteeism is your  
 14 understanding?  
 15 A. **Yes. Yes.**  
 16 Q. Do you have any ill feelings about that toward the  
 17 court or the county?  
 18 A. **Very disappointed.**  
 19 Q. You indicated that you thought that men were being  
 20 treated better than women. What specifically did you  
 21 observe to form that --  
 22 A. **It's just kind of like --**  
 23 Q. -- impression?  
 24 A. **Like the good old boys club, you know, that**  
 25 **camaraderie.**

1 Q. You've given me an impression, which I understand, but  
 2 what did you specifically observe?  
 3 A. **Well, they would spend a lot of time together, talking.**  
 4 **Like I said, they would go to seminars, where I didn't**  
 5 **see the women going, you know, as frequently.**  
 6 Q. Do you have any idea what ratio of times the men went  
 7 versus the women?  
 8 A. **No, I don't.**  
 9 Q. So you don't have any real specifics on that?  
 10 A. **No. No.**  
 11 Q. It's sort of a general impression you have?  
 12 A. **Right.**  
 13 Q. Is Mark Galbraith still working there as a probation  
 14 officer?  
 15 A. **No, he's not. He's in business with his father.**  
 16 Q. When did he leave, if you recall?  
 17 A. **I'm guessing '97, '98, somewhere in there.**  
 18 MS. WILLIAMS: Thanks. That's all I have for  
 19 Mrs. Boyles.  
 20 BY MR. ADAMS:  
 21 Q. Ms. Boyles, I represent Mr. Osenkowski. My name's  
 22 Paul Lancaster Adams. How are you. I'll just be  
 23 brief.  
 24 Going back to the reference comment made by  
 25 Mr. Osenkowski of the cunt club, were there any other

Page 44

1 females nearby other than you to overhear that  
 2 conversation?  
 3 A. **I don't think so.**  
 4 Q. Okay. Would you agree that that comment is off-color?  
 5 A. **Yes.**  
 6 Q. Were offhand or off-color jokes prevalent in the  
 7 office?  
 8 A. **Occasionally.**  
 9 Q. Jokes being distinguished from comments, but jokes?  
 10 A. **Yes.**  
 11 Q. And those jokes off-color were made by men?  
 12 A. **Mostly, yes.**  
 13 Q. Also by women?  
 14 A. **Maybe once or twice, but mostly men.**  
 15 Q. Okay. But you did hear some by women as well?  
 16 A. **Yes.**  
 17 Q. You said that you had been to Ms. Varner's home a few  
 18 times?  
 19 A. **Yes.**  
 20 Q. What were the circumstances of the first visit to her  
 21 home?  
 22 A. **We both have children the same age and we, you know, we**  
 23 **discussed them.**  
 24 **I think the first time I went to her place was a**  
 25 **birthday party for her grandson.**



Page 45

1 Q. And were other employees of the Juvenile Probation  
2 Department present as well?  
3 A. **No.**  
4 Q. Okay. Were you the only --  
5 A. **Yes.**  
6 Q. -- employee -- let me finish the question, I'm sorry.  
7 Were you the only employee from the Juvenile Probation  
8 Department present?  
9 A. **Yes.**  
10 Q. With your children?  
11 A. **I wasn't with my children. My children are grown the**  
12 **same as hers.**  
13 Q. Okay, okay. So you were clearly the only person from  
14 your office?  
15 A. **Yes.**  
16 Q. Okay. How about the second time you were in  
17 Ms. Varner's home?  
18 A. **I had done some typing for her, for her class, and she**  
19 **was -- she paid me to do her -- she was going for her**  
20 **master's and I did her typing. And I took it down to**  
21 **her place to drop it off.**  
22 Q. Okay. Did Ms. Varner often ask you to do typing for  
23 her for classes that she was taking?  
24 A. **I do for both her and Debra.**  
25 Q. Okay. Debra?

Page 46

1 A. **Green.**  
2 Q. Green, okay. Are you good friends with Debra Green?  
3 A. **Yes.**  
4 Q. You have to say yes or no.  
5 A. **Yes. Yes. Yes.**  
6 Q. Do you consider yourself good friends with Ms. Varner?  
7 A. **Yes. Have I seen them a lot lately? No.**  
8 Q. Does that bother you, that you haven't seen them in a  
9 while?  
10 A. **No, because I know they're busy.**  
11 Q. Okay, fair enough. Any other visits to Ms. Varner's  
12 home that you would like to share?  
13 A. **No, that was it.**  
14 Q. Has Ms. Varner ever been to your home?  
15 A. **Yes, when I first moved in. She came to show me what**  
16 **she thought of how I decorated, to give me some help.**  
17 Q. When was this?  
18 A. **1997.**  
19 Q. Okay. And was she helpful?  
20 A. **Yes.**  
21 Q. Any other visits to your home by Ms. Varner?  
22 A. **No.**  
23 Q. How about Debra Green to your home?  
24 A. **Debra Green has been to my house twice, and both times**  
25 **they were to pick me up: Once to go to dinner, and**

Page 47

1 **once to take me for a medical procedure.**  
2 Q. Has anyone else from the Juvenile Probation Department  
3 ever been to your home other than those two?  
4 A. **Mark Galbraith.**  
5 Q. Okay.  
6 A. **I'm trying think. Bill Brandt. That's it.**  
7 MR. ADAMS: No further questions. Thank you.  
8 THE WITNESS: Okay.  
9 BY MR. DELLASEGA:  
10 Q. Did you like working for Gary?  
11 A. **Yes.**  
12 Q. Did you like working for Joe?  
13 A. **Joe? Yeah. I did more for Gary than I did for Joe,**  
14 **yeah.**  
15 Q. Going back to Barb 1 and Barb 2, was the frequency of  
16 Barb 1 and Barb 2 calls roughly equal?  
17 A. **Yes.**  
18 Q. Have you ever talked with Ms. Wallet before today?  
19 A. **I knew her when I worked in the law library. I**  
20 **recognized her.**  
21 Q. But not about this case?  
22 A. **Oh, no.**  
23 MR. DELLASEGA: That's all.  
24 THE WITNESS: Okay.  
25 BY MS. BLANCHARD:

Page 48

1 Q. A couple questions, sorry. This will be quick, I  
2 promise.  
3 The conversation with Mark Galbraith in which he  
4 told you that Gary made a comment to him about  
5 remember, I got -- could you tell me again what that  
6 statement was? I didn't quite get it.  
7 A. **Mark said Gary said: Remember, I got you your job and**  
8 **I can take it away from you.**  
9 Q. And when did Mark tell you about this statement?  
10 A. **It was right after he was subpoenaed or asked to give a**  
11 **deposition about the case or testify in the case.**  
12 Q. Was this recently or was this a few years ago?  
13 A. **It was a few years ago.**  
14 Q. And did Mark tell you whether or not he responded to  
15 Gary's statement?  
16 A. **No, he didn't say.**  
17 Q. Do you know if he did?  
18 A. **No.**  
19 Q. Do you know if Gary made any other statements of that  
20 nature to Mark?  
21 A. **I think it was Joe that did. No. I don't think so.**  
22 Q. What was the statement?  
23 A. **About owing. He wanted him to do some work at his**  
24 **house and said you owe me or something.**  
25 Q. Was that in connection with this case?